



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

August 24, 2005

MARSH, FISCHMANN & BREYFOGLE LLP
3151 SOUTH VAUGHN WAY
SUITE 411
AURORA, CO 80014
US

Dear Sir/Madam,

Your refund request for 10508890 in the amount of \$355.00 has been denied .

There was no preliminary amendment filed with this case. 903 Notification of acceptance was mailed on 4/18/05.

Sincerely,

A handwritten signature in cursive script that reads "Rita White".

RITA WHITE
PCT - National
703 308-9140 x231



RECEIVED
DIVISION

Dep. & Ref
Room #8

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

205 JUN -2

In Re the Application of:

QUADRIO

Serial No.: 10/508,890

Filed: April 4, 2002

Confirmation No.: 9848

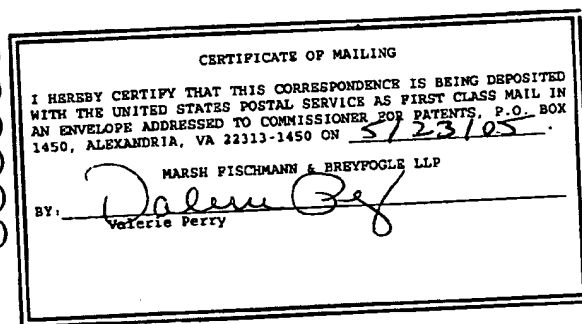
Atty. File No.: 50174-00001

For: "EXPANDABLE UNIT, IN
PARTICULAR FOR HOUSES OR
OFFICES"

) Group Art Unit: 3635

) Examiner: Not Yet Assigned

) REQUEST FOR REFUND
) UNDER 37 C.F.R. §1.26



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In connection with the above-identified U.S. patent application, Applicant hereby requests a refund in the amount of \$355.00 which was debited from Deposit Account No. 50-1419 on April 6, 2005. Enclosed herewith is a copy of the April 2005 Statement for Deposit Account No. 50-1419. The Statement indicates that the U.S. Patent and Trademark Office debited \$175.00 for seven additional claims in excess of twenty and \$180 for a multiple dependent claim fee, in the above-identified application.

A Response to Notice to File Missing Parts including a Preliminary Amendment amending the claims to remove all of the multiple dependencies, and a check in the amount of \$240.00 was filed on March 29, 2005. The \$240.00 included \$175.00 for seven additional claims in excess of twenty and \$65 for the late Oath and Declaration. Accompanying this "Request for Refund" is a

copy of the Response to Notice to File Missing Parts, Preliminary Amendment, and canceled Check No. 4080 in the amount of \$240.00 filed March 29, 2005.

It is respectfully requested that \$355.00 be credited to Deposit Account No. 50-1419 on behalf of the assignee as a refund for the \$175.00 in excess claim fees and \$180 for the multiple dependent claim fee erroneously debited from Deposit Account No. 50-1419.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

René A. Perez, Esq.
Registration No. 45,800
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997

Date: May 23, 2005

Joint Account Statement



United States Patent and Trademark Office



Deposit Account Statement

Requested Statement Month:

April 2005

Deposit Account Number:

501419

Name:

MARSH FISCHMANN & BREYFOGLE LLP

Attention:

THOMAS R MARSH

Address:

3151 SOUTH VAUGHN WAY

City:

AURORA

State:

CO

Zip:

80014

Country:

UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/01	193	78599293	50230-00001	7001	TM App \$325.00	\$3,602.00 OK
04/04	53	10209343	41890-01602	1801	Comm Fee \$790.00	\$4,392.00 OK
04/06	333	10508890	50174-00001	2615	PCT Gen. Fee \$175.00	\$4,217.00 OK
04/06	335	10508890	50174-00001	2616	Int. Fee \$180.00	\$4,037.00 OK
04/07	11	10909928	41890-01713	1251	Int. Fee \$120.00	\$3,917.00 OK
04/07	16	10838053	41890-01707	8021	Assn \$40.00	\$3,877.00 OK
04/07	21	10838053	41890-01707	8021	Assn \$40.00	\$3,837.00 OK
04/12	3	PCT/US05/08665	41890-01749	1703	PCT Fee \$313.00	\$4,150.00 OK
04/12	5	PCT/US05/08665	41890-01749	1703	PCT Fee \$118.00	\$4,032.00 OK
04/12	501	1330092	41992-00229	7205	Sub. Fee \$100.00	\$3,932.00 OK
04/12	502	1330092	41992-00229	7208	Sub. Fee \$200.00	\$3,732.00 OK
04/12	1759	78356701	41908-01158	7003	Sub. Fee \$100.00	\$3,632.00 OK
04/15	188	11099726	50118-00002	8021	Assn \$40.00	\$3,592.00 OK
04/15	1458	78245286	50085-00001	7004	Sub. Fee \$150.00	\$3,442.00 OK
04/19	484	78100528	41992-00577	7004	Sub. Fee \$150.00	\$3,292.00 OK
04/20	140	09892204	50000-00011	2251	Int. Fee \$60.00	\$3,232.00 OK
04/25	11	76636559	50167-00002	6001	TM App \$40.00	\$3,192.00 OK
04/26	4	09495141	SMP-023-2-1	1806	IDS \$180.00	\$3,012.00 OK
04/28	198	11115436	45568-00479	2202	Comm Fee \$50.00	\$2,962.00 OK
04/28	687	78618298	50177-00011	7001	TM App \$325.00	\$2,637.00 OK
04/29	114	11111523	50121-00067	8021	Assn \$40.00	\$2,597.00 OK

START
BALANCE
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SUM OF
CHARGES
\$2,433.00

SUM OF
REPLENISH
\$1,103.00

END
BALANCE
\$2,597.00

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533) (Small Entity)				Docket No. 50174-00001	
In Re Application Of: QUADRIO					
Application No. 10/508,890	Filing Date 04/04/2002	Examiner Not Yet Assigned	Customer No. 25231	Group Art Unit	Confirmation No. 9848
Invention: EXPANDABLE UNIT, IN PARTICULAR FOR HOUSES OR OFFICES					
<u>Mail Stop Missing Parts</u> <u>COMMISSIONER FOR PATENTS:</u>					
This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on <u>February 28, 2005</u> <small>Date</small>					
Enclosed herewith for filing are the following:					
<input checked="" type="checkbox"/> A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)					
<input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.					
<input checked="" type="checkbox"/> A properly signed oath or declaration in compliance with 37 CFR 1.63.					
<input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.					
<input type="checkbox"/> A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.					
<input type="checkbox"/> _____ verified small entity declaration(s)					
<input type="checkbox"/> is/are attached.					
<input type="checkbox"/> was/were filed on _____					
<input type="checkbox"/> A separate request for refund.					
<input checked="" type="checkbox"/> Other (list):					
Executed Power of Attorney Recordation Form Cover Sheet and executed Assignment Transmittal of Information Disclosure Statement, PTO 1449 and Copies of 7 References Preliminary Amendment Acknowledgement Postcard					

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)

Docket No.
50174-00001

In Re Application Of:

QUADRIO

Application No.

10/508,890

Filing Date

04/04/2002

Examiner

Not Yet Assigned

Customer No.

25231

Group Art Unit

Confirmation No.

9848

Invention: EXPANDABLE UNIT, IN PARTICULAR FOR HOUSES OR OFFICES

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application basic fee

☐ Design application basic fee

☐ Search Fee

☐ Examination Fee

☒ Total number of independent claims = 1

☒ Total number of claims = 27

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees

\$240.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month

☐ Two months

☐ Three months

☐ Four months

☐ Five months

from:

Date

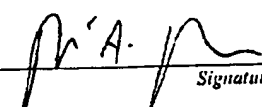
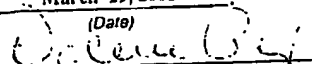
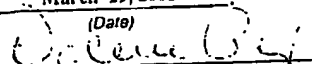
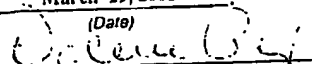
until:

Date

Total time extension fees

Total fees due

\$240.00

Response To Notice To Fill Missing Parts Of Application Filing Date Granted (PTO-1533) (Small Entity)					Docket No. 50174-00001											
In Re Application Of: QUADRIO																
Application No. 10/508,890	Filing Date 04/04/2002	Examiner Not Yet Assigned	Customer No. 25231	Group Art Unit	Confirmation No. 9848											
Invention: EXPANDABLE UNIT, IN PARTICULAR FOR HOUSES OR OFFICES																
<u>TO THE COMMISSIONER FOR PATENTS:</u> <u>Mail Stop Missing Parts</u>																
<p>The fee of \$240.00 is to be paid as follows:</p> <p><input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1419</p> <p><input type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1419</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																
<div style="text-align: center;">  <i>Signature</i> </div> <p> Rene A. Pereyra, Esq. Registration No. 45,800 Marsh Fischmann & Breyfogle LLP 3151 South Vaughn Way, Suite 411 Aurora, Colorado 80014 (303) 338-0997 </p>				<p>Dated: March 29, 2005</p>												
cc:				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on </td> </tr> <tr> <td style="width: 50%; padding: 5px;"> March 29, 2005 (Date) </td> <td style="width: 50%; padding: 5px;">  </td> </tr> <tr> <td colspan="2" style="padding: 5px;"> <i>Signature of Person Mailing Correspondence</i> </td> </tr> <tr> <td colspan="2" style="padding: 5px;"> Valerie Perry </td> </tr> <tr> <td colspan="2" style="padding: 5px;"> <i>Typed or Printed Name of Person Mailing Correspondence</i> </td> </tr> </table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on		March 29, 2005 (Date)		<i>Signature of Person Mailing Correspondence</i>		Valerie Perry		<i>Typed or Printed Name of Person Mailing Correspondence</i>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on																
March 29, 2005 (Date)																
<i>Signature of Person Mailing Correspondence</i>																
Valerie Perry																
<i>Typed or Printed Name of Person Mailing Correspondence</i>																



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PC Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

INTERNATIONAL APPLICATION NO

LA FILING DATE	PRIORITY DATE
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REC-11

371 FORMALITIES LETTER



OC000000015294953

[illegible]

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/23/2004
- Copy of the International Search Report filed on 09/23/2004
- Small Entity Statement filed on 09/23/2004
- Copy of references cited in ISR filed on 09/23/2004
- U.S. Basic National Fees filed on 09/23/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$530 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$595 for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$ 530
 - \$350 for 14 total claims over 20.
 - \$180 for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10-508,890	PCT/IT02/00211	50174-00001

FORM PCT/DO/EO/905 (371 Formalities Notice)

J002 Rec'd PCT/PTC 01 APR 2005

Attorney: RAP/vlp

Date: March 29, 2005

PTO Stamp indicates receipt of:

☒ Patent Matter

☐ Trademark Matter

Application Docket No.: 50174-00001

Applicant: QUADRIO

Title or Mark: EXPANDABLE UNIT, IN PARTICULAR FOR HOUSES OR OFFICES

Serial/Reg. No.: 10/508,890

____ No. of Pages in Request

Filed/Issued Date: April 4, 2002

____ No. of Pages in Description

☒ Certificate of Mailing

____ No. of Pages in Claims

☐ Express Mail No.:

____ No. of Pages in Abstract

☒ Check for \$240.00 + \$40.00

____ No. of Sheets of Drawings

LIST ALL DOCUMENTS BEING SENT TO PATENT OFFICE:

1. RESPONSE TO NOTICE TO FILE MISSING PARTS

2. COPY OF NOTIFICATION OF MISSING REQUIREMENTS

3. DECLARATION

4. POWER OF ATTORNEY

5. RECORDATION FORM COVER SHEET AND EXECUTED ASSIGNMENT

6. TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT, FORM PTO-1449

AND COPIES OF 7 REFERENCES

7. PRELIMINARY AMENDMENT

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

) Group Art Unit: Not Yet Assigned

QUADRIO

Examiner: Not Yet Assigned

Serial No.: 10/508,890

PRELIMINARY AMENDMENT

Filed: April 4, 2002

Confirmation No.: 9848

Atty. File No.: 50174-00001

For: "EXPANDABLE UNIT, IN
PARTICULAR FOR HOUSES OR
OFFICES"

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22304-1450 ON March 29, 2005

MARSH FISCHMANN & BREYFOGLE LLP

BY: [Signature]
(Att. Pcty)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Prior to the initial review of the above-identified patent application by the Examiner, please enter the following Preliminary Amendment.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Original) An expandable unit in particular for houses or offices, produced in the form of a container, wherein it comprises a basic module provided with at least a roof supported by uprights, and at least one extractable module operatively associated with the basic module so as to translate relative thereto, the extractable module comprising a base and a roof which are parallel to the roof of the basic module and side walls which connect the base and the roof so as to form a parallelepiped, open on one side corresponding to the side that is inside the basic module.

2. (Original) An expandable unit (10) according to Claim 1 in which the basic module (18) comprises, on at least one side, an abutment element (54), and in which the extractable module (24) comprises, on at least one side, an abutment element (56) which can interact with the abutment element (54) of the basic module (18) in the expanded position of the expandable unit (10).

3. (Original) An expandable unit according to Claim 2 in which the abutment element of the basic module comprises an appendage which extends inwardly relative to the expandable unit, the appendage having a plate, one end of which is fixed to the appendage, and a contact portion.

4. (Original) An expandable unit according to Claim 3, in which the abutment element of the extractable module comprises an appendage which extends outwardly relative to the expandable unit for a distance such as to interact with the appendage of the abutment element, the appendage having a contact portion which can interact with the plate of the abutment element to achieve electromagnetic impermeability between the basic module and the extractable module, and a sealing

element which can adhere to the contact portion of the abutment element in order to achieve impermeability to water between the basic module and the extractable module.

5. (Currently Amended) An expandable unit according to ~~any one of the preceding claims~~Claim 1, in which means for bearing on the ground are provided, disposed in the vicinity of the corners of the expandable unit.

6. (Original) An expandable unit according to Claim 5 in which the means for bearing on the ground are mounted on a frame of the expandable unit so as to be pivotable about an axis.

7. (Currently Amended) An expandable unit according to Claim ~~3 or Claim 4~~5, in which the expandable unit comprises a recess for housing the means for bearing on the ground, in a retracted position.

8. (Currently Amended) An expandable unit according to ~~any one of Claims 5 to 7~~ in which the means for bearing on the ground comprise at least one electromechanical cylinder, with the piston of which a support foot of the expandable unit is associated.

9. (Currently Amended) An expandable unit according to ~~any one of the preceding claims~~Claim 1 in which the extractable module comprises a base provided with at least a first portion and a second portion connected to one another by hinges.

10. (Currently Amended) An expandable unit according to ~~any one of the preceding claims~~Claim 1 in which two extractable modules are provided, disposed on opposite sides of the basic module.

11. (Currently Amended) An expandable unit according to ~~any one of the preceding claims~~Claim 1 in which the basic module comprises means for engagement on basic modules or on extractable modules forming part of adjacent expandable units.

12. (Currently Amended) An expandable unit according to ~~any one of the preceding~~

~~claims~~Claim 1 in which the extractable module comprises means for engagement on basic modules or on extractable modules forming part of adjacent expandable units.

13. (Currently Amended) An expandable unit according to ~~any one of the preceding~~
~~claims~~Claim 1 in which the extractable module comprises at least two portions slidable relative to one another.

14. (Currently Amended) An expandable unit according to ~~any one of the preceding~~
~~claims~~Claim 1 in which the extractable module comprises an outer portion comprising the roof, the side walls and the base of the extractable module, defining a parallelepiped that is open on two facing sides.

15. (Original) An expandable unit according to Claim 14 in which the extractable module comprises an inner portion comprising the side wall which defines a side wall of the expandable unit in the contracted configuration, a roof, a base, and connecting side walls between the base and the roof.

16. (Original) An expandable unit according to Claim 15 in which the base of the inner portion comprises at least a first portion and a second portion connected to one another by hinges.

17. (Original) An expandable unit according to Claim 15 in which the inner portion comprises an abutment element disposed on the edge that is inside the expandable unit and extending outwardly relative to the expandable unit, the abutment element being able to interact with an abutment element of the outer portion when the expandable unit is in the expanded condition.

18. (Currently Amended) An expandable unit according to ~~any one of the preceding~~
~~claims~~Claim 1, in which guides are provided between the extractable module and the basic module.

19. (Original) An expandable unit according to Claim 18 in which each guide comprises a tubular element associated with the extractable module and a seat fixed firmly to the roof of the basic

module for housing the tubular element.

20. (Original) An expandable unit according to Claim 19 in which an end of the tubular element is fixed firmly to a frame of the extractable module.

21. (Original) An expandable unit according to Claim 19, in which the tubular element comprises at least four regions of contact with elements of the seat.

22. (Original) An expandable unit according to Claim 21 in which the tubular element comprises inclined planes which define regions of contact with elements of the seat.

23. (Original) An expandable unit according to Claim 22 in which the inclined planes constitute upper and lower regions of contact with elements of the seat.

24. (Original) An expandable unit according to Claim 19 in which each guide comprises rolling elements housed in the seat and interposed between the seat and the tubular element.

25. (Original) An expandable unit according to Claim 13 in which further guides are provided and permit relative translation of the two portions.

26. (Original) An expandable unit according to Claim 25 in which the further guides comprise wheels coupled with a cross-member.

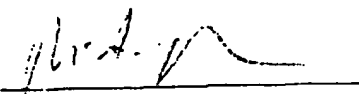
27. (Original) An expandable unit according to Claim 26 in which at least some of the wheels have a peripheral recess which interacts with a "V"-shaped edge of the cross-member.

REMARKS

In this Preliminary Amendment, Claims 5, 7-14 and 18 are being amended to remove their multiple dependencies, which reduces the additional claims fee for this application to \$175.00 (for small entity). A check for \$240.00 is enclosed, with a Response to Notice to File Missing Parts, to cover the \$65.00 late Oath /Declaration fee and to cover the \$175.00 additional claims fee. No additional fees are believed to be due, however, please charge any necessary required fees to Deposit Account No. 50-1419.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

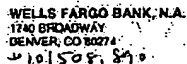
By: 
René A. Pereyra
Registration No. 45,800
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997

Date: March 29, 2005

4080

DATE 3-29-05

Two hundred forty and 0/100 ————— DOLLARS



FOR 50174-0000 Resp to Missy Puro

*00000800 1:1020000761:0197277.148000000000000000



WELLS FARGO BANK, NA DEN
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2455000 06550 MATCH 1
ACCT# 0000000197277140
FM 1 YKK 067

PATENT AND TRADEMARK OFFICE
13-10-0004
04-01-2005
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